

DEPARTMENT OF HUMAN SERVICES
DIVISION OF JUVENILE JUSTICE SERVICES
POLICY AND PROCEDURES

Policy No.: 05-02	Effective Date: 05/05/04	Revision Date: 5/11/11
Subject: Searches of Person, Room, State Vehicle		

I. Policy Statement

The Division has the authority to conduct searches of juveniles placed in our custody or programs; juveniles' living quarters and possessions; or visitors having contact with juveniles. Searches shall be conducted in accordance with the Search Matrix.

II. Rationale

The purpose of searches is to discover and confiscate contraband, perceived and actual weapons, and unauthorized substances. Searches shall be conducted to ensure both the safety and security of others, as well as, the juveniles' therapeutic needs.

III. Definitions

- A. "Contraband" is defined as items illegal by law or prohibited by the agency, facility, program, or caseworker. Contraband includes, but is not limited to: tobacco, drugs, paraphernalia, alcohol, weapons, or items capable of being used as weapons, expensive items such as jewelry and money, electronic devices, cell phones, devices used to effect an escape, etc., and items which would interfere with the treatment process.
- B. "Probable cause" is the facts or circumstances of the situation that lead a reasonable person to believe that contraband is present.
- C. "Wand search" is a clothed search using a hand-held metal detector, sensor or scanner, used to detect metal weapons or metal objects.
- D. "Rub search" is a clothed search using the hands to perform a quick, thorough search by "rubbing" the outer layer of clothing. Juveniles involved in rub searches shall be searched wearing at least one layer of clothing. (Underwear is not considered a layer of clothing.) The rub search is used to detect any contraband the juvenile may have in his or her possession.
- E. "Strip search" is a search that requires juveniles to remove all their clothing and expose all parts of their body to a *visual* search, including the ears, mouth, anus, genitals, bottom of feet, etc. Strip searches result in a careful *visual* examination of the nude juvenile and a hand search of his or her discarded clothing. Staff shall not touch the juvenile during a strip search. Strip searches shall be conducted whenever juveniles enter or reenter a secure area of a facility; or when there is probable cause to believe that contraband is present.
- F. "Body cavity search" is an intrusive search requiring physical probing of the vagina or anus. Medically trained and licensed personnel shall perform a body

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cavity search when there is probable cause to believe that contraband will be found.

- G. "Room search" is a thorough physical search of a juvenile's assigned room in either the facility or community placement, in order to detect any contraband.
- H. "Search matrix" is a reference guide that allocates searches based upon each facility, program or office function.
- I. "Secure area" of a correctional facility is the portion of that facility where the general population of juveniles congregates and engages in their daily activities. Contact visitation rooms shall not be considered a secure area of a correctional facility.
- J. "Community-based programs" are non-secure residential or nonresidential programs designated to supervise and rehabilitate juvenile offenders in the least restrictive setting, consistent with public safety, and designated or operated by the Division. Control and supervision of non-adjudicated juveniles placed with the Division for temporary services in receiving centers, youth services, and other programs established by the Division are also considered community-based placements.
- K. "Contact visitation room" is any area where the juvenile has direct contact with the visitor.
- L. "Non-contact visitation room" is an area where there is glass or other barriers to prevent physical contact.
- M. "Professional visit" is a visit from case managers, caseworkers, probation officers, parole officers, allied agencies, psychologists, attorneys, etc.

IV. Procedures

- A. Staff shall conduct searches in accordance with the current crisis intervention training system.
- B. Wand search:
 - 1. A staff member shall use a hand-held metal detector, sensor or scanner to "scan" the entire body of the visitor or individual. Staff shall not make hands-on or physical contact with the individual during the search.
 - 2. If the metal detector sounds, staff shall instruct the individual to remove any metal objects and then staff shall repeat the step above.
 - 3. In the event that any weapons or contraband are found, staff shall deny the visit or admissions into the facility and document the incident.

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C. Rub search:

1. Cross-gender searches are permissible only when a search is required and there is no other staff worker of the same sex available, and only with a witness (JJS staff, allied agencies, or law enforcement) present.
2. Maintain professional communication, do not become involved in conversation that distracts staff or allow personal embarrassment to compromise a complete and thorough search.
3. Remove all property during the search, i.e., wallet, keys, money, jewelry, belt, hat, shoes, etc.
4. Direct the juvenile to face away from the staff and assume the proper position as trained by the current crisis intervention training system.
5. Conduct a thorough anatomical search, in order, from the head to the feet of the juvenile and include any pockets. Concentrate on specific areas that require special attention, which includes:
 - a. Hair: no wigs are allowed.
 - b. Head: mouth, ears, and nostrils. Simply observe, do not touch the juvenile.
 - c. Neck: shirt collars.
 - a. Hands: examine hands, fingers spread and extended.
 - e. Arms: inside and out from the armpits to cuffs.
 - f. Chest and abdomen: shirt pockets, seams, under bra band, straps, metal push up wires.
 - g. Waistline: back of belts and belt buckles.
 - h. Shoulder blades, middle of the back to the waist: search sides and seams, be careful to check for blades taped to flat areas or sewn into seams.
 - i. Abdomen: front pockets, seams, hips, back pockets, groin area, vertical seams.
 - j. Legs: pockets, outside and inside of legs, cuffs.
 - k. Feet: remove shoes and socks, check inside lining, sole and heel, turn socks inside out. Check the bottom of both feet.
6. No touching of the breasts, genitals, and anus of the juvenile is allowed.

D. Strip search:

1. Same-gender staff shall perform a strip search. Strip searches shall be conducted in the presence of two staff or one staff with another staff monitoring via camera. If a camera is used, juveniles cannot be in camera view.
2. Staff shall complete the "Strip Search Checklist" form (attached) for all strip searches. A "Statement of Probable Cause" shall be completed if the purpose of the search is other than "Entry/Reentry".

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3. Strip searches shall not be conducted outside of a Division of Juvenile Justice facility. Strip searches are not allowed in any community based programs/placements except for Observation & Assessment and Genesis. Staff in Observation & Assessment and Genesis shall only use “Probable Cause” as a justification for strip searches. Secure facilities and detention centers are the only facilities allowed to use “Entry/Reentry” or “Probable Cause” as justifications for strip searches.
4. There shall be a thorough search of the juvenile’s discarded clothing:
 - a. Turn the shirt inside out: check seams, cuffs, collars and pockets.
 - b. Shoes and socks: check sole and heel, examine inside foot and turn socks inside out.
 - c. Pants: turn inside out, examine waistband, cuffs, seams and pockets.
 - d. Underwear: turn inside out, check waistband and seams.
5. There shall be a thorough search of the juvenile. Do not touch the juvenile; simply observe:
 - a. Head: check for lice. Check nose, ears, and mouth. Check under tongue and around teeth.
 - b. Arms and shoulders: require the juvenile to raise arms and check arm pits and breasts. Check for needle tracks or evidence of previous suicide attempts, personal injuries or other abnormalities. Examine hands with fingers spread and extended.
 - c. Groin: examination of difficult places to see shall be conducted by instructing the juvenile to make that portion of the body visible.
 - d. Buttocks: instruct the juvenile to squat down and then return to standing position. Instruct the juvenile to bend over and spread the cheeks of the buttocks. If a female is wearing a sanitary napkin, instruct her to remove it and issue a new one. If contraband is seen protruding from the anal area, staff shall not retrieve the contraband. Staff shall instruct the juvenile to remove the item. If they refuse, staff shall place the juvenile in a holding area where the item cannot be disposed of. Staff shall immediately request the assistance from the facility medical personnel or other qualified medical personnel.
 - e. Legs and feet: check inside the legs and bottom of the feet and in between the toes.
 - f. Bandages and casts: examine any prostheses or false teeth. If staff have questions, they shall request assistance from the facility medical personnel or other qualified medical personnel.

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E. Body cavity search:

A manual body cavity search of the vagina or anus shall only be performed by medically trained and licensed personnel when there is probable cause to believe contraband or weapons will be found. Staff shall document the incident.

F. Property Search:

Staff shall conduct a thorough search of all property that accompanies a juvenile at the time of entry or re-entry into a JJS facility or residential program, regardless of the prior placement. Staff shall search purses, wallets, clothing, bags, crutches, slings, casts, and any other property that may conceal contraband. Staff shall document incoming property on an inventory form and complete an incident report when contraband is found.

G. Room search:

A thorough physical search of a juvenile's assigned room, whether in a facility, community placement, or home.

1. Conduct room searches with two staff when possible, or one staff and a witness (proctor parent, tracker, etc.), in community placement or home.
2. Staff shall conduct regular and random searches in JJS facilities and send quarterly documentation of these searches to the facility APD.
3. All searches shall be conducted in a systematic manner with respect to the juvenile's property. The room shall be left in the condition it was found. Items shall not be intentionally damaged or destroyed.
4. Contraband found during the search will be confiscated, the chain of evidence maintained, and the required documentation of the incident shall be recorded.

H. Vehicle search:

A thorough physical search of a State vehicle shall be conducted before and after transporting a juvenile to remove any contraband or any items that could be used as a weapon. (Refer to the Transportation policy 05-04.)

I. Search matrix:

Staff shall adhere to the search matrix when determining when and what kind of search is permitted.

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- J. Rub searches shall be conducted after professional visits in secure facilities and in secure detention centers.
- K. Strip searches shall be conducted after non-professional visits, family, etc. in secure facilities and secure detention centers.
- L. Non-contact visiting rooms inside secure facilities and secure detention centers are considered secure areas and do not require a search.
- M. Contact visitation areas are not secure areas and staff shall strip search after non-professional visits before the juvenile returns to the secure area.
- N. Search Matrix

SEARCH MATRIX

This matrix is designed to inform staff at Division programs which level of person searches is available to them. Please refer to the written Policy and Procedures for clarification of what each search entails.

Correctional Facilities	Type of Person Search Allowed			
	Wand Search	Rub Search	Strip Search*	Cavity Search ¹
Secure Facilities	√	√	√	Medical Staff
Detention Centers	√	√	√	Medical Staff

*Strip searches are to be conducted within the appropriate DJJS facility; strip searches are never to be conducted outside of a facility.

¹Only medically trained and licensed personnel are allowed to conduct Cavity Searches.

Community-Based Programs	Type of Person Search Allowed			
	Wand Search	Rub Search	Strip Search*	Cavity Search
O&As/ Community Placement EIPs	√	√	With Probable Cause	NO
Work Programs	√	√	With Probable Cause	NO
Transition/Unique Programs	√	√	NO	NO
Receiving Centers	√	√	NO	NO
Diversion Programs	√	√	NO	NO
Youth Services	√	√	NO	NO
Shelter/non-secure beds	√	√	NO	NO

*Strip searches are to be conducted within the appropriate DJJS facility; strip searches are never to be conducted outside of a facility.

Below, is a listing of all Division programs organized by function (e.g., community programs, correctional facilities, early intervention, and rural programs). If you are unsure where your program fits in the above matrix, please refer to this list.

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Office of Community Programs	
Observation and Assessment Centers <ul style="list-style-type: none"> Farmington Bay Youth Center² Ogden O&A Salt Lake O&A Springville O&A 	Transition/Unique Programs <ul style="list-style-type: none"> ICAP Ogden EIP Project Paramount In Community Services

²Private Facilities

Office of Correctional Facilities	
Detention Centers <ul style="list-style-type: none"> Farmington Bay Youth Center² Salt Lake Valley Detention Center² Slate Canyon Youth Center Weber Valley Detention Center 	Secure Facilities <ul style="list-style-type: none"> Decker Lake Youth Center Mill Creek Youth Center Slate Canyon Youth Center Wasatch Youth Center

²Private Facilities

Office of Early Intervention	
Diversion <ul style="list-style-type: none"> Davis Area Youth Center Home Detention Lightning Peak Salt Lake Early Intervention 	Receiving Centers <ul style="list-style-type: none"> Archway Youth Services Davis Youth Services
Youth Services <ul style="list-style-type: none"> Archway Youth Services Davis Youth Services 	Work Programs <ul style="list-style-type: none"> Genesis Youth Center

Office of Rural Programs									
Multi-use Program	Functions								
	DT	SF	HD	OA	RC	DV	SH	SS	YS
Box Elder JJS									√
Cache Valley Youth Center	√		√	√	√		√		√
Canyonlands Youth Center	√				√		√		√
Castle Country Youth Center	√				√				√
Central Utah Youth Center	√			√	√		√		√
Dixie Area Detention	√								
Duchesne County Youth Services			√						√
Iron County Youth Center					√		√		√
Southwest Utah Youth Center	√	√	√						
Split Mountain Youth Center	√		√	√	√				√
Washington County Youth Crisis Center			√		√		√		√

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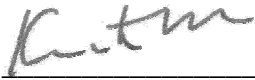
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DT: Detention SF: Secure Facility HD: Home Detention DV: Diversion OA: Observation & Assessment
RC: Receiving Center SH: Shelter SS: State Supervision YS: Youth Services

V. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

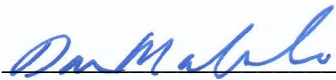
This policy has been reviewed by the Board of Juvenile Justice Services, and is approved upon the signature of the Director.



Kirk Allen, Chair
Board of Juvenile Justice Services

5/11/11

Signature Date



Dan Maldonado, Director
Division of Juvenile Justice Services

5/11/11

Signature Date